



Hogan Lovells US LLP  
Columbia Square  
555 Thirteenth Street, NW  
Washington, DC 20004  
T +1 202 637 5600  
F +1 202 637 5910  
www.hoganlovells.com

August 17, 2010

VIA ELECTRONIC FILING

Ms. Marlene Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, N.W.  
Washington, DC 20554

ATTN: Chief, Consumer & Governmental Affairs Bureau  
TRS Certification Program

**Re: Application of Stellar Relay, LLC for Certification as an IP Relay Service Provider  
CG Docket No. 03-123**

Dear Ms. Dortch:

Pursuant to Section 64.606(a)(2) of the Commission's rules, attached for filing in the above-referenced proceeding is the application of Stellar Relay, LLC for certification as a provider of Internet Protocol Relay services.

Please contact the undersigned with any questions.

Respectfully submitted,

*/s/ Ari Q. Fitzgerald*

Ari Q. Fitzgerald  
Counsel to Stellar Relay, LLC

cc: Karen Peltz Strauss  
Mark Stone

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

<b>In the Matter of</b>	)	
	)	
<b>Telecommunications Relay Services and</b>	)	
<b>Speech-to-Speech Services for Individuals</b>	)	<b>CG Docket No. 03-123</b>
<b>With Hearing and Speech Disabilities</b>	)	
	)	
<b>Application for IP Relay Certification</b>	)	

**To: Chief, Consumer and Governmental Affairs Bureau  
TRS Certification Program (IP Relay)**

**APPLICATION OF STELLAR RELAY, LLC  
FOR  
CERTIFICATION AS AN IP RELAY SERVICE PROVIDER**

Stellar Relay, LLC (“Stellar Relay”), by its undersigned counsel and pursuant to Section 64.606 of the Commission’s rules, respectfully submits this application for certification to provide Internet Protocol Relay Service (“IP Relay”). At this time, Stellar Relay is not seeking certification as a Video Relay Service (“VRS”) or Captioned Telephone Service (“CTS”) provider. Due to the ever-changing nature of telecommunications relay services (“TRS”) consistent with federal law and Commission regulation, and in order to best serve the public interest, Stellar Relay respectfully requests expeditious review and approval of this application.

## **I. Background**

Stellar Relay<sup>1</sup> has been a provider of intrastate and interstate traditional relay services for the state of California from 2004 through 2010, and as such, the Commission is already familiar with Stellar Relay and its qualifications to provide TRS. However, Stellar Relay provides the following background information for the Commission's convenient reference while reviewing this application for certification as a provider of IP Relay services.

Stellar Relay is a Nevada limited liability corporation whose business location is at 130 East John Carpenter Freeway, Irving, Texas 75062. Stellar Relay operates a relay office in Tennessee. Established in 1999, Stellar Relay's focus is the delivery of telecommunications relay services. In December 2004, Stellar Relay began providing traditional relay service directly for the State of California. In 2005, Stellar Relay began providing IP Relay services on behalf of Purple Communications Inc. ("Purple") and in 2008 began providing the Tennessee Relay Service, also on behalf of Purple.

Stellar Relay asserts herein that it currently is and will remain capable of complying with all the non-waived operational, technical and functional mandatory minimum standards as published by the FCC for IP Relay service providers.

Stellar Relay is currently a subcontractor furnishing IP Relay call center services for Purple. Stellar Relay intends to be a full-fledged IP Relay provider in its own right and seeks to be so certified by the FCC. Stellar Relay's platform employs performance standards that ensure high quality text and voice transmission and connectivity features. Stellar Relay offers IP-based

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<sup>1</sup> Stellar Relay, LLC formerly operated as "Nordia, Inc." (1999-2007) In 2007 Nordia Inc. was reorganized such that the relay portion of the company was separated from Nordia and assigned to a sister company, Stellar Nordia Services, LLC. Subsequently, in May 2009 the company began operating under its present name of Stellar Relay. The name changes do not reflect any change in ownership. The official request to register the company name change to Stellar Relay has been submitted to the Tennessee Regulatory Authority but has not been completed as yet.

two-line voice carry over (“VCO”), IP-based two-line hearing carry over (“HCO”) and Spanish-language services.

Stellar Relay utilizes its own custom-designed relay software linked to hardware supplied by leading vendors. Stellar Relay has a constant cycle of developing new features that ultimately benefit the relay user communities and which bring new options to consumers.

Combining Stellar Relay’s custom relay software with its automated call distribution (“ACD”) platform provider, Stellar Relay is able to route calls to appropriate consoles in a timely manner. Stellar Relay has an established database to track calls for billing which includes all necessary information about originating and terminating calls to clearly identify which conversation minutes are billable for reimbursement. The same database tracks speed of answer results to ensure that relay calls meet mandatory average speed of answer requirements. Reports drawn from Stellar Relay’s database also provide data on the length of calls (both session and conversation minutes), number of calls, number of calls in queue, abandoned calls and various other statistics.

To ensure that only FCC-approved IP Relay minutes are processed, Stellar Relay utilizes an in-house quality assurance program, one focus of which is to ensure that calls are handled in a manner consistent with mandatory standards. The program covers such aspects as permitted relay call modalities, permitted IP Relay terminating locations, and relay ethics. This quality assurance program, combined with rigorous, automated analysis of the relay platform and database, ensures that only minutes which are supported by the TRS rules are submitted to the TRS Fund Administrator for reimbursement. One example of the automated analysis is that all requested terminating numbers are compared against a list of valid, American telephone numbers; any callers requesting sessions to international locations are automatically rejected

prior to connection to a Communications Assistant, as IP relay calls may not be placed internationally. Pursuant to user registration and 10-digit numbering requirements, IP Relay calls are only processed from registered users, with the limited exception of users requesting emergency calls.

Further, Stellar Relay uses Structured Query Language (SQL) applied to raw data to find and separate any inappropriate users or calls: one capability allows Stellar Relay to query for patterns that reveal excessive, abnormal minutes generated by callers. Another capability that addresses some of the same concerns raised in the Commission's declaratory ruling of February 25, 2010,<sup>2</sup> facilitates the removal any calls generated by employees of Stellar Relay or its related partners. In addition to the steps taken to avoid processing inappropriate calls in the first place, this ensures that Stellar Relay will not inadvertently submit any non-approved minutes to the Interstate TRS Fund, and will take corrective measures with existing technological solutions to prevent such inappropriate calls in the future.

## **II. Narrative Description of Required Information**

### **A. Description of Services**

By this application, Stellar Relay seeks certification to provide IP Relay service. Stellar Relay is not seeking certification to provide VRS or IP CTS services at this time.

IP Relay allows people who have difficulty hearing or speaking to communicate through the telephone system with hearing persons. IP Relay is accessed using a computer and the Internet, or a wireless device with data service, rather than a teletypewriter ("TTY") and the public switched telephone network. The relay aspect of the call is provided by specially trained

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<sup>2</sup> See *Structure and Practices of the Video Relay Service Program*, Declaratory Ruling, 25 FCC Rcd 1868 ¶¶ 3-5 (2010)

Communication Assistants (“CAs”) who provide text-to-voice relay service by voicing the text users’ messages, and voice-to-text relay service by typing the hearing users’ spoken responses.

## **B. Ability to Meet All Non-Waived Mandatory Minimum Standards**

Stellar Relay understands that, regardless of the manner in which it provides IP Relay services, upon certification it will be obligated to comply with all of the rules and regulations applicable to such services that the Commission has promulgated or may promulgate in the future. Stellar Relay will ensure compliance with the non-waived operational, technical and functional standards of Section 64.604 of the FCC’s rules. A brief description of those standards is provided below.

### **1. IP Relay Communication Assistants**

Sections 64.604(a)(1)(i) – (iii) of the Commission’s rules<sup>3</sup> require that all CAs (a) be sufficiently trained to meet the needs of people who are Deaf, hard of hearing, or speech-disabled; (b) have competent typing, grammar, spelling and interpretation of typewritten ASL skills; (c) be familiar with Deaf, hard of hearing and speech-disabled cultures, languages and etiquette; and (d) have a typing speed of at least 60 words per minute. In addition, TRS providers are required to test for compliance with these requirements.

Stellar Relay acknowledges these mandatory minimum obligations and agrees to comply with them. To do so, Stellar Relay performs pre-hiring evaluations of CAs and operates and extensive training program, which includes all mandatory minimum standards, prior to allowing CAs to handle live TRS calls. Prior to being released to a call center workstation, each CA must

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<sup>3</sup> Section 64.604(a)(1)(iv), which requires TRS providers to ensure that VRS CAs are all “qualified interpreters”, is not relevant to CAs for IP Relay.

pass examinations for each subject matter covered by the training program, as well as demonstrate a typing speed of at least 60 words per minute with sufficient accuracy.

Stellar Relay provides ongoing training and testing for all CAs. Training sessions are developed to specifically target desired areas, including but not limited to new policies, procedures, and areas of opportunity identified through performance evaluations, quality monitoring and customer feedback. Stellar Relay ensures that mandatory standards pertaining to skills and relay knowledge are maintained over time via on-going supplemental training including topics such as spelling, grammar, confidentiality and ethics, ASL gloss, Deaf culture, and the needs of speech-disabled, late-deafened and hard of hearing users. Stellar Relay also provides training on stress management, sensitivity and the handling of emergency calls. To ensure that all CAs maintain the required typing speed of 60 words per minute, their typing skills are retested annually via oral-to-type tests.

To supplement regular testing, Stellar Relay has implemented a quality assurance program measuring CA performance in all TRS call types and scenarios. Trained teams of quality specialists place scripted calls each month to evaluate particular components of TRS relay for adherence to requirements. Conversation minutes stemming from such scripted calls are automatically red-flagged in the database and are not included on Stellar Relay invoices for reimbursement as the calls are employee generated. Consistent with statutory and regulatory prohibitions, no actual relay calls are recorded or stored for evaluation.

Currently, Stellar Relay provides its own IP Relay Communication Assistants (“CAs”) as part of its strategic arrangement with a certified IP Relay provider. Stellar Relay’s call centers, management and its partner work in concert to ensure FCC regulations are met. Current Stellar Relay CAs are proficient in typing, grammar, spelling and voicing of ASL-gloss text, and have

been trained on Deaf Culture and related issues. Additionally, Stellar Relay CAs are trained to relay verbatim by default, or translate from ASL text to correct spoken English when so requested by each unique Deaf user. Thus, they fully qualify to perform IP Relay CA functions pursuant to FCC rules.

Stellar Relay CAs are trained to process emergency calls in an appropriate manner consistent with current federal regulations. This includes training on how to handle an IP Relay emergency call if the IP user is not at the registered location, as well as processing emergency calls where the user stops responding mid-session. CAs are trained as to the kind of call-related information which may be given to the emergency dispatcher insofar as this differs from non-emergency relay call situations.

## **2. Staying with Calls & Real-Time Transmission**

Section 64.604(a)(1)(v) of the Commission's rules requires that CAs answering and placing a TRS call must stay with such a call for a minimum of 10 minutes. Section 64.604(a)(1)(vii) requires that CAs transmit conversations in real time. Stellar Relay ensures that its CAs operate in compliance with these standards. Stellar Relay's IP Relay training curriculum includes procedural guidance in accommodating user requests for CA gender (in accordance with Section 64.604(a)(1)(vi)) or language (English or Spanish) when a call is initiated and to remain with the call until it is transferred to an appropriate replacement CA.

## **3. Confidentiality; Accuracy; No Intentional Alteration**

Sections 64.604(a)(2)(i) – (ii) of the Commission's rules prohibit CAs from disclosing the contents of relayed conversations, and with limited exception, from keeping records of the content of calls, even where inconsistent with state or local law. (Under the rules, only STS CAs

may retain information from a call, and only to facilitate the completion of consecutive calls when requested.) CAs are also prohibited from altering a relayed conversation and except where illegal under other laws must relay all conversations verbatim, unless requested otherwise.

Relay CAs are trained not to disclose contents of any relayed conversation regardless of content, except as authorized by section 705 of the Communications Act, 47 U.S.C. 605, consistent with TRS rules. The crucial nature of maintaining confidentiality is reinforced from the first day of training and is included in each CA's scheduled reviews and annual refreshers. In any case where there may be circumstances that may require a deviation from normal relay procedures, CAs are trained to consult with a relay supervisor for instructions.

Pursuant to FCC rules, no record of call content is maintained in any manner, shape or form by the CA after the conclusion of the call. Stellar Relay's platform has been designed so that all call data is cleared from the console at the end of each session.

Stellar Relay's call centers and data centers have strict, clearly-posted rules regarding relay workspaces. Security measures are in place to ensure that only authorized persons have access rights appropriate for their role and responsibility. No person is permitted to enter relay workspace unless they have read, understood and signed the relay code of ethics and confidentiality agreement. All Stellar Relay call centers are equipped with a break room and a lunch room that are separate from the relay workspace, and CAs are provided with personal lockers outside the relay workspace. No form of recording device, including but not limited to, cell phones, tape or digital recorders, and personal digital assistants, is permitted in the relay workspace. Should a supervisor detect and validate a breach in confidentiality or security measures, the employment of the CA responsible is subject to immediate termination.

#### **4. No Refusal of Calls; Type of Calls Handled; Denial for Declined Credit**

Sections 64.604(a)(3)(i) – (iii) of the Commission’s rules prohibit CAs from refusing calls or limiting the length of calls. Providers such as Stellar Relay shall be capable of handling all call types, except where credit authorization has been denied or where the Commission has determined they need not be accepted. Stellar Relay ensures, through initial training, supervision and subsequent training that all CAs working in its employ comply with these rules.

As set forth in the FCC regulations, Stellar Relay agrees to handle any type of call normally provided by TRS for IP Relay. Calls which may be identified as an abuse of the relay system are either blocked by technological means or refused further handling through systematic relay integrity processes used by Stellar Relay’s CAs, Supervisors and Traffic teams. Stellar Relay currently handles any type of calls and features, including those listed in Section 64.604(a)(3)(v)-(vi), which have not been waived by the FCC. Stellar Relay imposes no limits on the length of supported relay calls whatsoever.

#### **5. Voice Mail; Interactive Menus**

Section 64.604(a)(3)(vii) of the Commission’s rules requires that TRS providers alert end-users to recorded messages and interactive voice response systems via a “hot key” on the CA’s terminal. Section 64.604(a)(3)(viii) of the Commission’s rules requires that providers offer answering machine and voice mail retrieval to end-users. Stellar Relay will ensure through initial training, supervision and subsequent training that all CAs comply with these rules. Stellar Relay’s platform allows the CA to electronically capture such recorded messages and retain them until the end of the call session, allowing the CA to relay the contents verbatim. When subsequent outbound dials are required to complete calls to recorded or interactive messages, no charges are imposed on the TRS user.

## **6. Emergency Call Handling Requirements**

Stellar Relay, in conjunction with its partners, complies with the emergency calling requirements contained in Section 64.605.<sup>4</sup> Stellar Relay's current call centers, through a contracted provider, are automatically capable of identifying an emergency caller's registered physical location by accessing the NeuStar Registered Location database. Stellar Relay's centers are able to prioritize the answering emergency calls and to route them to the most appropriate Public Safety Answering Point (PSAP). This procedure also allows the system to transmit vital location information pertaining to the emergency caller to the PSAP, including registered location, Stellar Relay's name and the CA's identification number. At the same time, the system sends the assigned ten-digit telephone number automatic number identification (ANI) information to the PSAP, allowing re-connectivity in the event of call disruption. Stellar Relay CAs are also trained to provide the relay center callback number orally when introducing any emergency relay call to the PSAP dispatcher. Stellar Relay's automated system capability and CA training program enable the emergency dispatcher to properly handle IP Relay emergency calls. Currently, Stellar Relay's partner displays the emergency call procedure and additional information for TRS users on its websites, and Stellar Relay will similarly inform its own users.

Currently Stellar Relay's IP Relay partner assigns users a unique 10-digit local telephone number obtained from a specialist technical provider authorized to issue and record local numbering assignments. As Stellar Relay develops its own IP Relay offerings, it will become engaged in direct contact with the authorized numbering database service provider in order to directly assign numbers to users and to access the database.

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<sup>4</sup> Emergency calling requirements were previously included as part of the mandatory minimum standards of Section 64.604, but were later expanded and moved to new Section 64.605.

Stellar Relay, in conjunction with its partners, complies with the requirements of Section 64.605(b)(4). When a subscriber requests a 10-digit local telephone number, Stellar Relay and its partner employ a verification process. The information captured includes the TRS user's name, physical address and contact information. This registration information is verified using one or more methods to ensure the authorized use of IP Relay. A 10-digit number is provided at the conclusion of temporary verification; a follow-up verification must then be made by the user via email or mail. This is required to permanently assign the 10-digit number and grant access to IP Relay. Moreover, subscribers may update their registered location at any time using only the CPE necessary to access IP Relay.

## **7. Speed of Answer**

Section 64.604(b)(2)(i) of the Commission's rules requires that TRS providers ensure adequate staffing and facilities to provide users with "efficient access under projected calling volumes requirements" such that the likelihood of a user receiving a busy response from the network as a result of CA unavailability is functionally equivalent to what a voice caller would experience in similar circumstances on the voice telephone network. Section 64.604(b)(2)(ii) sets forth the following speed-of-answer requirements: 85% of all calls shall be answered within 10 seconds by any method that results in the caller's call being placed, not on hold or in queue, measured on a daily basis inclusive of abandoned calls.

With several years of experience forecasting IP Relay call volume and managing operations in our call centers, Stellar Relay has accumulated significant historical call data which is used to determine call center staffing needs through all periods of the day. The historical data is stored as 15-minute intervals for each day, permitting Stellar Relay to generate trends and patterns for any time period. In addition, this information is further broken down into access

methods such as web-based, wireless-based and instant messenger-based calls to aid detailed planning. Each new day's data is added to the historical database so that it is constantly updated, and upcoming schedules are reviewed and, when necessary, adjusted in advance to best meet TRS user needs. Particular attention is paid to scheduling appropriate numbers of CAs for events such as holidays when call volume differs from a standard workday.

Stellar Relay's scheduling software allows for customizable excess capacity to be built into CA schedules in order to help prevent unforeseeable spikes in call volume or unexpected CA absenteeism from impacting overall speed-of-answer results. Stellar Relay's relay platform and network are designed to provide sufficient capacity to handle peak periods. Stellar Relay shall continue to comply with applicable speed-of-answer requirements.

#### **8. Choice of Long Distance Calling Carrier**

In view of the waiver of access requirements to interexchange carrier services, Stellar Relay does not currently provide a Carrier of Choice option for IP Relay calls. Accordingly, pursuant to FCC rules, Stellar Relay handles long distance calls at no charge to its users.

#### **9. Twenty-Four Hour Operation**

Section 64.604(b)(4) of the Commission's rules require that TRS providers operate 24 hours a day, every day, and that they have redundant features, including uninterruptible power for emergency use. Stellar Relay provides its services 24 hours a day, 7 days a week. Due to its call centers being located in different locations and time zones, Stellar Relay's IP Relay services can be maintained at projected levels if severe weather events or technical failures impact one of the centers.

Stellar Relay's technical platform at each call center utilizes an uninterruptible power supply ("UPS") to furnish emergency backup power to maintain server and infrastructure functionality in case of a power failure. Emergency generators are equipped in case of an area-wide catastrophic event and are capable of powering Stellar Relay's call center facilities indefinitely if needed. Stellar Relay's call center facilities have multiple network connections, fire suppression systems and environmental control systems. All relay call and traffic data are backed up on a daily basis and stored in a secure, off-site location.

#### **10. Technology; Caller ID**

Sections 64.604(b)(5) and (6) of the Commission's rules provide that TRS facilities are permitted to use SS7 or similar technology, and that where this is the case, the number transmitted to the public telephone network must be that of the TRS facility, 711 or the 10-digit number of the calling party. Stellar Relay agrees to comply with these rules to the extent they are applicable to its IP Relay offerings.

Currently, Stellar Relay's IP Relay partner assigns users a unique 10-digit local telephone number obtained from a specialist technical provider authorized to issue and record local numbering assignments. As Stellar Relay develops its own IP Relay offerings, it will become engaged in direct contact with the authorized numbering database service provider in order to directly assign numbers to users and to access the database. This information is passed to the called party.

#### **11. Complaints**

Sections 64.604(c)(1)(i) and (ii) of the Commission's rules provide that carriers shall maintain a log of consumer complaints, and must maintain the log until the next application for

certification is granted. The log shall contain (i) the date of the complaint, (ii) the nature of the complaint, (iii) the date of resolution and (iv) the nature of the resolution(s). On July 1 of each year, providers shall submit summaries of logs indicating the number of complaints received during the 12-month period ending May 31 of the previous year. Stellar Relay agrees to comply with these rules.

## **12. Contact Person**

Section 64.604(c)(2) of the Commission's rules requires interstate TRS providers to submit to the Commission a contact person or office for TRS consumer information and complaints about the TRS provider's services, including the (i) name and address of the office that receives complaints, grievances, inquiries, and suggestions; (ii) voice and TTY telephone numbers, fax number, email address and web address; and (iii) the physical address to which correspondence should be sent. Stellar Relay's contact person for all consumer information and complaints is:

Mrs. Anne Rousseau  
Vice President, Operations  
Stellar Relay, LLC  
6211 Shelby Oaks, Suite 102  
Memphis, TN 38134  
Telephone: 1.888.548.7718  
TTY: 1.901.383.6726  
Facsimile: 1.901.383.6749  
E-mail: [arousseau@stellarrelay.com](mailto:arousseau@stellarrelay.com)  
Website: <http://www.stellarrelay.com>

## **13. Public Access to Information; Consumer Outreach**

Section 64.604(c)(3) of the Commission's rules requires that TRS providers undertake education and outreach efforts to increase public awareness of TRS, including both the general

public and members of the Deaf/Hard-of-Hearing/Speech Disabled community. Efforts shall publicize the availability of access to TRS in a manner reasonably designed to reach the largest number of consumers possible. Stellar Relay's main business focus is to serve the TRS market, and therefore such outreach efforts are directly related to Stellar Relay's success in the marketplace.

Stellar Relay, in conjunction with its partners, currently provides informational services through various technologies and media to enhance public awareness of the availability of services offered. This includes information about the requirements surrounding access to IP Relay. In addition to the materials provided on its websites, Stellar Relay also participates periodically in various Deaf and Hard-of-Hearing events, conferences, meetings, etc. to promote IP Relay services. In addition, all hearing relay employees are offered cultural training and introductory classes in sign language. Stellar Relay fosters a sense of community by inviting comments from deaf and hard-of-hearing relay users via its website, email, customer care telephone number, and mail.

#### **14. Rates**

Section 64.604(c)(4) of the Commission's rules impose certain requirements regarding rates. By filing this application, Stellar Relay seeks to be compensated entirely through the Interstate TRS Fund, and therefore its services will be provided at no cost to Stellar Relay's end users. Each month, Stellar Relay will report all of its "conversation minutes of use" to the TRS Fund Administrator, the National Exchange Carrier Association ("NECA"), and NECA will reimburse Stellar Relay based upon the rates established by the Commission.

## **15. TRS Fund Administrative Issues**

Section 64.604(c)(5)(iii) of the Commission's rules provides that (i) telecommunications carriers providing interstate telecommunications services shall contribute to the Interstate TRS Fund, (ii) TRS providers shall provide the TRS Fund Administrator with true and accurate information necessary to determine the TRS Fund's annual revenues requirements, and (iii) TRS providers shall comply with a variety of TRS Fund rules, including rules designed to ensure that providers calculate monthly minutes of use accurately. Stellar Relay agrees to comply with all such obligations applicable to TRS providers and to accurately file with the Commission the appropriate reports.

## **16. Substantive Changes**

Section 64.606(f)(2) of the Commission's rules requires that certificated TRS providers notify the Commission of substantive changes in their TRS programs, services and features within 60 days when such changes occur, and must certify that they are in continued compliance with federal minimum standards after implementing such substantive changes. Stellar Relay acknowledges and agrees to comply with this obligation.

## **17. Annual Report**

Section 64.606(g) of the Commission's rules requires that certificated TRS providers file with the Commission an annual report providing evidence that they are in compliance with Section 64.604 of the Commission's rules. Stellar Relay acknowledges and agrees to comply with this obligation. In addition, the Commission requires TRS providers to file annual reports setting forth their efforts to meet waived mandatory minimum standards for their various service offerings, and Stellar Relay agrees to comply with this obligation. In addition, the Commission

requires TRS providers to file annual reports setting forth their efforts to meet waived mandatory minimum standards for their various service offerings, and Stellar Relay agrees to file such a report.

#### **18. No Requirement to Meet Waived Minimum Standards**

In various rulings and orders including, most recently, DA 10-1235,<sup>5</sup> the Commission has stated that certain TRS mandatory minimum standards are inapplicable to, or waived with respect to, IP Relay. Stellar Relay acknowledges that its IP Relay offering will not be required, at this time, to meet requirements including: (1) one-line Voice Carry Over (VCO), VCO-to-TTY, and VCO-to-VCO; (2) one-line Hearing Carry Over (HCO), HCO-to-TTY, and HCO-to-HCO; (3) call release; (4) pay-per-call (900) calls; (5) types of calls; (6) equal access to interexchange carrier; and (7) Speech-to-Speech (STS).

Notwithstanding these waivers, Stellar Relay may choose to offer certain of these functionalities, and to train CAs according to certain of these skill requirements, to the extent possible.

#### **19. Additional Commitment**

Stellar Relay agrees to comply with any and all orders, regulations, or obligations lawfully promulgated from time to time by the Commission that are applicable to providers certificated by the Commission to provide IP Relay generally, or Stellar Relay specifically. To the extent that existing or future waivers of Commission rules expire, Stellar Relay agrees to begin promptly to meet such requirements.

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<sup>5</sup> *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Order, CC Docket No. 03-123, DA 10-1235 (rel. June 30, 2010).

### **C. Procedures for Ensuring Compliance with TRS Rules**

Stellar Relay requires that all of its call centers, contractors and relevant business partners operate in a manner that meets or exceeds federal minimum standards as they apply to the delivery of TRS. Stellar Relay also requires that its relay personnel and that of its partners be well trained as to regulatory requirements. Stellar Relay has developed extensive knowledge and understanding of the TRS Rules via its experience delivering intrastate and interstate traditional relay services, in addition to current IP Relay offerings on behalf of its TRS-certified partner.

Stellar Relay intends to designate a member of its management as a “compliance officer” to review internal operations and those of its partners to provide regular oversight and ensure all regulatory requirements are met at all times. Regular training updates and refresher training will be provided to ensure that all persons involved in offering services – particularly Communications Assistants, Supervisors, Trainers and Quality Assurance Analysts – have a thorough, current understanding of the rules governing TRS.

### **D. Complaint Procedures**

Stellar Relay accepts customer feedback, including complaints, via multiple channels including online forms, email, telephone, mail and facsimile. Stellar Relay’s procedure for handling complaints includes analysis of the complaint to determine if it is technical or operational in nature. Once the nature of the complaint is identified, information is collected and, in the case of an identified CA who may be the source of the complaint, an interview between the CA and their manager is conducted to ascertain certain facts related to the complaint. Technical complaints are transferred to the appropriate department for analysis and resolution. Each customer making a complaint receives a reply from Stellar Relay summarizing the findings and closing the issue once it is formally resolved. Complaints are resolved promptly and

escalated as needed until resolved. All complaints are summarized and included in annual reports submitted to the Commission.

Stellar Relay has a custom-built application used to capture all customer correspondence (comments, complaints and commendations) in a central database, regardless of which call center receives the correspondence. Each customer contact is assigned a unique tracking number and contains, but is not limited to, the following information:

- Customer contact information (one or more of Email, Postal Address, Telephone number, etc.)
- Date of ticket opening
- Date of resolution
- Category assigned (commendation, information inquiry, complaint, technical issue, etc)
- Correspondence history
- Investigation Summary
- Stellar Relay department assigned to resolve any reported problems

Stellar Relay currently compiles all complaints, compliments and any concerns raised by IP Relay users into an annual report as required by the TRS regulations. The data required by the FCC is readily available anytime and the reporting format is customizable by Stellar Relay to meet FCC requests or inquiries.

Stellar Relay works to increase user awareness of TRS requirements and service offerings through its website and other published materials, including Frequently Asked Questions, to assist users seeking immediate answers.

**E. Areas in Which Services Will Differ from the Mandatory Minimum Standards**

Stellar Relay's services will not differ from the mandatory minimum standards established by the Commission. In the event that new or different minimum standards are established, Stellar Relay will either conform to those standards or apply to the Commission for a waiver of the particular standards.

**F. Evidence that Services Differing from Mandatory Minimum Standards Do Not Violate Applicable Mandatory Minimum Standards**

This does not apply to Stellar Relay's submission.

**G. Demonstration of Status as a Common Carrier**

Included as "Attachment A" to this application is a copy of the "Order Granting Certificate of Public Convenience and Necessity" issued by the Tennessee Regulatory Authority, granting Stellar Relay common carrier status as a provider of competing local telecommunication services.<sup>6</sup>

**H. Statement that Stellar Relay Will File Annual Compliance Reports Demonstrating Continued Compliance with the Commission's Rules Governing TRS**

Stellar Relay acknowledges its obligation to, and agrees to, file annual compliance reports demonstrating its ongoing compliance with the Commission's rules governing its various TRS offerings and demonstrating Stellar Relay's efforts to meet pertinent waived minimum standards, in each case according to the time and manner prescribed by the Commission. Stellar Relay recognizes that at this time such reports are due on April 16 of each year.

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<sup>6</sup> As indicated in the section on Introductory and Background Information, Stellar Relay, LLC was previously "Stellar Nordia Services, LLC."

## **I. Notification to NECA**

Pursuant to Section 64.604(c)(5)(iii)(G) of the Commission's rules, Stellar Relay will notify NECA of its intent to participate in the TRS fund as an IP Relay provider by notice delivered at least 30 days prior to submitting reports of IP Relay minutes of use. Stellar Relay understands that failure to file may exclude it from eligibility for the year.

## **J. Internet-based TRS Registration**

Although not included as part of the mandatory minimum standards in Section 64.604 (and thus not a required component of the documentation required in TRS applications pursuant to Section 64.606), Stellar Relay confirms that it is currently compliant with the relevant requirements applicable to IP Relay contained in Section 64.611, including the porting of existing customer numbers and assigning new, geographically-appropriate numbers. Stellar Relay will route and deliver inbound and outbound calls for users who have selected Stellar Relay as their default provider unless the user elects to use an alternate provider.

Stellar Relay will maintain in its internal database current routing information and duly provide same to the TRS Numbering Directory. Stellar Relay will cease acquiring routing information should any user select a new provider and will communicate necessary information to the other TRS providers. When processing a call for a user whose default provider is not Stellar Relay, the TRS Numbering Directory will be queried to obtain accurate routing information for the user.

Stellar Relay will not assign or issue any proxy or alias for a NANP telephone number to any user. Stellar Relay does not intend to issue any customer premises equipment in relation to offering IP relay services upon certification.

Stellar Relay agrees to comply with the user notification requirements set out in §64.611(f) and include appropriate advisories on its website as well as in promotional materials. A record of affirmative acknowledgment will be obtained and retained for every Registered IP relay user, indicating receipt and understanding of the advisory.

### **III. CONCLUSION**

Stellar Relay submits this full discussion of its meeting of the mandatory minimum standards of operation for TRS, and it affirms its commitment to meet all obligations required by the Commission while providing the highest quality TRS offerings. As demonstrated above, Stellar Relay meets all of the regulatory requirements for certification to receive reimbursement from the Interstate TRS Fund for provision of IP Relay service. Stellar Relay possesses the operational, technical and managerial qualifications to provide TRS successfully. The requested certification would be in the public interest, and Stellar Relay therefore respectfully requests that the Commission grant the certification needed for Stellar Relay to provide IP Relay.

Respectfully submitted,  
**STELLAR RELAY, LLC**

By: /s/ Ari Q. Fitzgerald\_\_\_\_\_

Bernard Durocher  
CEO, Stellar Relay, LLC  
255 Crémazie East, 4<sup>th</sup> Floor  
Montreal, QC, CANADA  
H2M 1M2

Ari Fitzgerald  
Partner  
Hogan Lovells US LLP  
555 Thirteenth Street, NW  
Washington, DC 2004  
202.637.5423  
ari.fitzgerald@hoganlovells.com

**Counsel to Stellar Relay, LLC**

August 17, 2010

**ATTACHMENT A**

**Tennessee Regulatory Authority  
Order Granting Certificate of Public Convenience and Necessity**

**BEFORE THE TENNESSEE REGULATORY AUTHORITY**

**NASHVILLE, TENNESSEE**

**December 21, 2007**

**IN RE:**

**APPLICATION OF STELLAR NORDIA  
SERVICES, LLC FOR A CERTIFICATE OF  
CONVENIENCE AND NECESSITY TO  
PROVIDE COMPETING LOCAL  
TELECOMMUNICATION SERVICES**

**DOCKET NO.  
07-00254**

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**ORDER GRANTING CERTIFICATE OF  
PUBLIC CONVENIENCE AND NECESSITY**

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This matter came before Chairman Eddie Roberson, Director Sara Kyle and Director Ron Jones of the Tennessee Regulatory Authority ("the Authority" or "TRA"), the voting panel assigned to this docket ("panel"), at a Hearing held on December 3, 2007, to consider the *Application for Certificate to Provide Competing Local Telecommunications Services* ("Application") filed by Stellar Nordia Services, LLC ("Stellar Nordia" or Applicant") on November 14, 2007. In its *Application*, Stellar Nordia requests to provide competing local telecommunications services in order to act as a call center subcontractor for GoAmerica Relay Services Corp ("GoAmerica") with respect to GoAmerica's provision of intrastate telecommunications relay services ("TRS") within the State of Tennessee.

**Legal Standard for Granting Certificate of Convenience and Necessity**

Stellar Nordia's *Application* was made pursuant to, and considered in light of the criteria for granting a Certificate of Public Convenience and Necessity ("CCN") as set forth in Tenn. Code Ann. § 65-4-201, which provides, in pertinent part:

(a) No public utility shall establish or begin the construction of, or operate any line, plant, or system, or route in or into a municipality or other territory already receiving a like service from another public utility, or establish service therein, without first having obtained from the authority, after written application and hearing, a certificate that the present or future public convenience and necessity require or will require such construction, establishment, and operation, and no person or corporation not at the time a public utility shall commence the construction of any plant, line, system or route to be operated as a public utility, or the operation of which would constitute the same, or the owner or operator thereof, a public utility as defined by law, without having first obtained, in like manner, a similar certificate...

\* \* \*

(c) After notice to the incumbent local exchange telephone company and other interested parties and following a hearing, the authority shall grant a certificate of convenience and necessity to a competing telecommunications service provider if after examining the evidence presented, the authority finds:

(1) The applicant has demonstrated that it will adhere to all applicable commission policies, rules and orders; and

(2) The applicant possesses sufficient managerial, financial and technical abilities to provide the applied for services.

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Furthermore, pursuant to Tenn. Code Ann. § 65-5-212, competing telecommunications providers are required to file with the Authority (1) a plan containing the provider's plan for purchasing goods and services from small and minority-owned telecommunications businesses; and (2) information on programs that might provide technical assistance to such businesses.

#### **The December 3, 2007 Hearing**

Pursuant to Tenn. Code Ann. § 65-4-204 (2004), public notice of the Hearing in this matter was issued on November 21, 2007. No persons sought intervention prior to or during the Hearing. At the Hearing held on December 3, 2007, Ms. Anne Rousseau, Vice President and Chief Operating Officer of Stellar Nordia, adopted the pre-filed testimony of Bernard Durocher, President of Stellar Nordia, testified on behalf of the Applicant and was subject to examination by the Directors. Upon conclusion of presentation of the proof in Stellar Nordia's case, the panel

voted unanimously to grant Stellar Nordia's *Application* based upon the following findings of fact and conclusions of law:

**I. Stellar Nordia's Qualifications.**

1. Stellar Nordia is a limited liability company organized under the laws of the State of Nevada on June 21, 2002 and was authorized to transact business in the State of Tennessee on September 21, 2007.

2. The complete name and street address of Stellar Nordia's registered agent in the state of Tennessee is CT Corporation System, 800 S. Gay Street, Suite 2021, Knoxville, Tennessee 37929. The complete street address of Stellar Nordia's corporate office is 130 E. John Carpenter Freeway, Irvine, Texas 75062. The telephone number is (514) 387-1285.

3. The *Application* and supporting documentary information existing in the record indicate that Stellar Nordia has the requisite technical and managerial ability to provide TRS within the state of Tennessee. Specifically, Stellar Nordia's management team possesses extensive business, technical and operational telecommunications experience.

4. Stellar Nordia has the necessary capital and financial ability to provide the services it proposes to offer.

5. Stellar Nordia has represented that it will adhere to all the applicable statutes, policies, rules and orders of the Authority.

**II. Proposed Services**

Stellar Nordia will act as a call-center subcontractor to GoAmerica with respect to

GoAmerica's provision of Tennessee intrastate TRS.<sup>1</sup> Stellar Nordia will provide technical, operational and administrative support to GoAmerica in GoAmerica's efforts to provide hearing and speech-impaired consumers in Tennessee with access to the intrastate telecommunications network that is functionally equivalent to that utilized by individuals that are not disabled.

As the call center subcontractor for GoAmerica, Stellar will support GoAmerica's provision of telecommunications access to and from speech or hearing disabled Tennessee customers without the need for the non-disabled to utilize anything other than a telephone. Access will be provided with 711 dialing in addition to one or more toll-free numbers. These toll-free numbers shall be universally available and uniform throughout Tennessee. GoAmerica shall accept calls that originate from or terminate at telecommunications devices for the deaf, teletypewriters, modem-equipped personal computers, or any other automated equipment used to facilitate telecommunications service for the communicatively disabled. Such calls shall both originate and terminate within the state. GoAmerica shall also be capable of accepting calls placed across a state line which, if the relay center were not utilized, would be considered local intrastate calls. Individuals with communication disabilities that subscribe to Tennessee intrastate service will be able to call, or be called by, any business or residence that has standard telephone service in Tennessee.

Stellar Nordia will also provide the support for GoAmerica's provision of 911, E911 and 900 number blocking pursuant to the TRS Contract which GoAmerica seeks to assume from Verizon Services Corporation.

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<sup>1</sup> See *In re: Joint Petition of Verizon Communications Inc., MCI Communications Services, Inc. d/b/a Verizon Business Services and Verizon Services Corporation, and GoAmerica Relay Services Corp. ("GRSC") for Expedited Approval of the Assignment of the Contract to Provide Relay Services from Verizon Services Corporation to GRSC; for GRSC to Utilize Stellar Nordia Services, LLC as a Subcontractor in the Performance of the Contract, and for the Transfer of Related Assets from Verizon Business Services to GRSC*, Docket No. 07-00204.

### III. Public Interest

Upon a review of the *Application* and the record in this matter, the panel finds that approval of Stellar Nordia's *Application* would inure to the benefit of the present and future public convenience by fostering the continuation and development of an efficient, technologically advanced statewide system of TRS telecommunications services.

### IV. Small and Minority-Owned Telecommunications Business Participation Plan and Business Assistance Program

Stellar Nordia has filed a satisfactory small and minority-owned telecommunications business participation plan, pursuant to Tenn. Code Ann. § 65-5-112 and the Authority's Rules.

### IT IS THEREFORE ORDERED THAT:

1. The *Application for Certificate to Provide Competing Local Telecommunications Services* of Stellar Nordia Services, LLC for a Certificate of Public Convenience and Necessity to provide competing local telecommunications services is approved.
2. Any party aggrieved by the Authority's decision in this matter may file a Petition for Reconsideration with the Authority within ten (10) days from and after the date of this Order.
3. Any party aggrieved with the Authority's decision in this matter has the right of judicial review by filing a Petition for Review in the Tennessee Court of Appeals, Middle Section, within sixty (60) days from and after the date of this Order.

  
Eddie Roberson, Chairman

  
Sara Kyle, Director

  
Ron Jones, Director